



Ontario Energy Board Commission de l'énergie de l'Ontario

DECISION AND ORDER ON COST AWARDS

EB-2015-0334

BABIRAD MOTION

Motion by Mr. Jim Babirad to review and vary the Ontario Energy Board's Decision and Order, dated October 29, 2015, in the EB-2014-0351 proceeding.

BEFORE: Christine Long
Vice Chair and Presiding Member

Cathy Spoel
Member

Paul Pastirik
Member

June 21, 2016

INTRODUCTION AND SUMMARY

By way of letter dated November 18, 2015 Jim Babirad (Mr. Babirad) filed a Motion to Review and Vary (the Motion) the Decision and Order of the Ontario Energy Board (the OEB), dated October 29, 2015, in the EB-2014-0351 proceeding (2015 Decision).

In the 2015 Decision, the OEB determined that Mr. Babirad was entitled to compensation from Enbridge Gas Distribution Inc. (Enbridge) in the amount of \$8.81 per acre for the year 2015 to be adjusted periodically by the same percentage increase and at the same time as Enbridge adjusts payments to all landowners in all of Enbridge's storage pools. Mr. Babirad brought the Motion for a review and variance of the 2015 Decision in which the OEB did not award compensation to Mr. Babirad from Enbridge for the period from 1965 to 2014.

On May 5, 2016, the OEB issued its Decision and Order on Motion granting the Motion and cost award eligibility to Mr. Babirad. The Decision and Order on the Motion also set out the process for Mr. Babirad to file its cost claim, for Enbridge to object to the claim and for Mr. Babirad to respond to any objection raised by Enbridge.

The OEB received the cost claim from Mr. Babirad. On June 1, 2016, Enbridge filed a letter stating that it had no objection to the cost claim.

OEB Findings

The OEB has reviewed Mr. Babirad's cost claim and finds that Mr. Babirad is eligible for 100% of its reasonably incurred cost of participating in this proceeding. The OEB finds that Mr. Babirad's claim is reasonable and Enbridge shall reimburse Mr. Babirad for its costs.

THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall immediately pay Mr. Babirad \$7,265.90.
2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

DATED at Toronto June 21, 2016

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary